

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

March 11, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF#10MD-017

Maui

Issuance of Revocable Permit to MC&A, Inc. for Team Building Games and Beach Activities at Wailea Beach, Maui, Tax Map Key:(2) 2-1-023: seaward of 007.

APPLICANT:

MC&A, Inc. whose business and mailing address is 615 Piikoi Street, Suite 1000, Honolulu, Hawaii 96814.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui identified by Tax Map Key: (2) 2-1-023: seaward of 007, as shown on the attached map labeled Exhibit A.

AREA:

5,000 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State constitution: YES ☐ NO ☒

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Team building games and beach activities.

TERM:

From 8:00 a.m. to 12:00 p.m. on April 12, 2010.

RENTAL:

\$500.00 (Rental based on \$.10 per square feet per day). Total area of requested use is 5,000 square feet.

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>x</u>	NO <u> </u>
Registered business name confirmed:	YES <u>x</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>x</u>	NO <u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for team building and beach activities (games) in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from government or community agencies.

MC&A, Inc. is requesting a right-of-entry permit for a software company wishing to utilize a portion of Wailea Beach for a team building event which will include games and other miscellaneous beach activities. The event is scheduled for April 12, 2010. Set up will start at 8:00 a.m. and breakdown by 12:00 p.m. The actual event will run for approximately 2 hours from 10:00 a.m. to 12:00 p.m.

The proposed activity is of a similar type and scope of beach activities that historically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event/use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

RECOMMENDATION: That the Board:

1. Authorize the issuance of a revocable permit to MC&A, Inc. covering the subject area for team building activity purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


for Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



Wailea Beach

Grand Wailea Resort
(2) 2-1-008:109

Subject Area

Four Seasons Resort
(2) 2-1-023:007

Exhibit (A)

